

Request for an Extension of Time

The Applicant requests a two month extension of time under the provisions of 37 CFR 1.136(a), in which to respond to the Office Action of July 24, 2008. Payment of the requisite fee, in respect of a small entity, is included with this submission.

Amendment

Claim 1 has been amended to clarify the scope of the claim, as discussed hereinbelow. Basis for the amended scope of Claim 1 can clearly be found in the specification as originally filed.

New Claim 11 has been added directed to the subject matter removed from Claim 1. As such, no new subject matter has been added to the present application.

Remarks

The present invention provides a simple method for a user to identify and save actual copies of any computer displayable documents and/or other information that the user deems to be a relevant document, to a user defined, separate storage system. A key feature of the present invention is that a copy of the actual highlighted information that the user wishes to save, is always saved to the user defined database. This excludes the approach of merely saving bookmarks, URL's, tags, metadata, or any other shorthand method to return to the original document cite. This is an important point since it ensures that the user can always retrieve the exact information that was first found. In a situation where a web page, or some other document has been amended, updated, or even removed, the user still has the capability of searching, retrieving and viewing the exact document as first observed and saved.

Further, while the saved document can be updated, if desired, there is still the option to view a copy of the original document since a copy of that exact document has been saved. This is much improved over the system of merely saving bookmarks, tags, or the like, since these approaches are reliant on the original content remaining unchanged in order to ensure that the proper relevant information is retrieved.

The document saved can be any of a variety of document types, such as web page

images, word processing documents, spreadsheets, and the like. However, in all cases, an exact copy of the relevant information of interest to the user, is stored in the user defined database, and thus is always observable.

A second key feature is that the user defined database is, by definition, always under the control of the user since it is the user's defined database. This means that only the user would normally be able to delete the content. This is preferably done by ensuring that the data is stored in a user defined storage location separate from the original source. Preferably, the separate storage location is a storage location which is separate from the original data. For example, a web page from the Internet, could be downloaded and saved on, for example, the user's computer, a local device connected to the user's computer, a remote device such as a local server, a network device such as a storage device for a local network, an Internet storage device, or the like. However, it could also include an Internet-based storage device different from the original web page, or a storage device or system provided by an Application Service Provider, or the like. The key feature is that the storage system is a user defined (and thus, user controlled), database.

Essential features of the present claims, are that a copy of the relevant document is stored in a separate, user defined database (on any suitable storage device), and that it is stored in such a manner such that the user has access to a copy of the original document.

In order to achieve this, the Applicant provides a simple, convenient approach to saving relevant documents of interest to a user, in a separate, searchable database.

Rejections under 35 USC § 102

Claims 1 to 3 and 5 to 7 stand rejected under 35 USC 102(b) as being anticipated by US Patent Publication No. 2002/0069218 (hereinafter "Sull"). The Applicant respectfully traverses this rejection in view of the amendments made herein.

Sull provides a wide ranging document which describes a number of different features. In overview, though, Sull provides various methods for retrieving multimedia information from the original source. Sull does not, however, store a copy of the relevant document in a separate, searchable, user-defined database.

In more detail, as to the Examiner's specific comments on Claim 1, it is first noted that the Examiner comments that Sull stores the relevant document in a user defined data structure which the Examiner considers to include the phrase "tag or bookmark". However, Claim 1 requires that the relevant document (and by this is meant a complete copy of the relevant document rather than just a tag or bookmarked position) be saved to a separate data structure. Consequently, saving a tag or bookmarked position is not the same as the present invention wherein a copy of the relevant document is saved.

This approach clearly has benefits over the Sull approach. The major disadvantage of Sull's approach of using tags or bookmarked positions is that if a tagged or bookmarked document has been modified or removed, the user will not be able to access the original, relevant information. As such, Sull's approach of saving tags or bookmarked position information does not provide the same features as the present invention.

Sull acknowledges the disadvantages of saving only a bookmarked favorite in, for example, paragraphs 0007 to 0010 of his published application. In his case, though, he wishes to overcome these problems, as applied to viewing a multimedia file, and providing a method of accessing a multimedia file at a selected location (rather than having to start viewing the entire file over again each time the file is accessed). Sull relies on the original multimedia file to remain available, however, and preferably to remain intact. As such, his primary focus is to provide a method for accessing the multimedia file at a specific location.

On review of the Action, however, the Applicant contends that the Examiner has misapplied the references in such a manner so as to ignore the inventive features of the present invention. In particular, the Examiner has mis-used the meaning of the phrase "bookmarked position" in an attempt to try to establish that the cited prior art ("Sull") stores the "relevant document in a user defined separate data structure wherein said user defined separate data structure comprises a database of stored documents which are copied and stored on a storage device separate from said displayable document" (Claim

1). For the reasons presented hereinbelow, the Applicant contends that the requirements of the claim are not met by having a database of bookmarked positions.

When used in computer terminology (as well as in standard use), a bookmark is an indicator, or pointer, that refers back to the original content. Typically, in computer applications, a bookmark provides for the storage of a URL that points back to a specific web page address. However, this is not the same as saving and storing an actual copy of the specific, original web page content in a separate and distinct database. As the Applicant has previously explained, by using a bookmarked position, the user only has a URL that points back to a web address. As such, the content of the web page at the “bookmarked” position could easily have changed. This is exactly the situation that the present invention is aimed at avoiding.

The present inventor wishes to provide a database of actual content that is saved and then can be searched. Since this database contains copies of the actual content, it does not change as the web page (or other content source) is updated. In other words, the content of the specific web page that was of interest to the user is always available, and would not change over time. As a result, the user can always view the original content since the actual content itself, is stored (and not just a URL bookmark).

Optionally, the user has the ability to view the updated content (if it is determined that updated content is available), but primarily, the invention is directed to providing the ability to view the original file content (regardless of whether it has been updated). As such, the Examiner’s view that “user defined separate data structure”, is including within the meaning of “bookmarked positions” is wrong. Any attempt to “interpret” this phrase in that manner is erroneous, and does not follow from the standard meaning(s) of the term “bookmark”.

In contrast, the Applicant’s interpretation of the limitations of the phrase “bookmarked position” is clearly supported by the prior art, or any dictionary definition that the Examiner might wish to review. Moreover, the Applicant’s interpretation of the limitations of the word “bookmark” in this application, is clearly supported by Sull’s discussion in paragraph 006 to 011. Sull repeatably describes a “bookmark” as being a URL (or URI) that provides a simple link to the stored content. In his case, he is referring

to multimedia content, and thus, the bookmarked position can refer to a specific time index within the multimedia file, so that the multimedia content can be later accessed at a specific time index (if the multimedia file still exists). As such, Sull aims to provide a method to access multimedia files in a manner that allows easier access to the files, and he does this by inserting “tags” into the multimedia file in order to assist in indexing and searching (see Abstract). He may also prepare a database or collection of tags and/or bookmarks, or the like. However, he does not create a database of stored copies of the original content as required in the present application.

Accordingly, Sull’s application is directed to a totally different problem, and does not attempt to produce a separate copy of the original file in order to ensure that the original file content is always searchable and available.

Further, Figure 12 and related paragraph 0211 of Sull, which have been referenced by the Examiner, do nothing to change this interpretation. In fact, Sull highlights the inherent problem with his system when he states, in paragraph 0211 that a “...check is made in step 1204 to determine if the URI of the content is valid. If not, execution of the method is shifted to step 1022 (see Fig. 10) where the process of the content-based and/or text-based search begins. ***The URI of the content become invalid when the multimedia content is moved to other location (sic), for example***” (emphasis added).

Clearly, Sull recognizes that his approach must recognize and deal with a situation where the multimedia file content, at the bookmarked position, may no longer be valid. In this case, a search is conducted (on a content or text basis) in order to relocate the updated file, and then relocate the bookmarked position. However, if the multimedia file is no longer available, then the user will not be able to locate the file again for viewing.

In contrast, the Applicant’s approach would make a copy of the actual file so that it is always available, and a search can easily be conducted on the saved materials (regardless of the current status of the originally viewed file). Therefore, the Applicant’s system provides much more than just a listing of bookmarked positions.

Once the Examiner acknowledges that providing a database of “bookmarked position” is not the equivalent of the system described and claimed in Claim 1, then the Sull document cannot be considered to be directed to the same invention. Sull is only concerned with facilitating the searching and viewing of the content of multimedia files. The present invention is concerned with providing storage and searching of file content which have been made by storing copies of the original documents, or the like. As such, the file content will not change over time and is always available to the user. The two approaches are different, and the Sull document clearly does not anticipate the present invention.

Clearly Sull does not save a copy of the original file, and therefore, cannot conduct a comparison of the original content of the file to its current version. To address this situation, however, Sull can only evaluate the content of the multimedia file to determine if it has changed (so that the saved tag and/or bookmark is no longer relevant). If it has changed, Sull must adapt his system to show the updated information. Thus, Sull clearly does not provide the capability to compare a copy of the original document to the current version of the document, and thus, cannot allow the user to view the original version of the document. The Sull user can only view the updated content.

The Examiner also points to Figure 18, and Figure 33, to support the idea that Sull provides separate databases. However, with respect to Figure 18, Sull only shows two databases as being two different sources of material which might be sent to a user's mobile device. From paragraphs 270 to 274, Sull discusses how the tags can be used to pick up the multimedia content at the appropriate location when accessed from a mobile device. He does not suggest or imply that a copy of the original content is saved in a separate database, nor that the content of the separate databases are used in the manner taught in the present application.

In Figure 33, segmentation and reconstruction of a new multimedia presentation is shown. This is described in paragraphs 0464 to 0471. As such, Sull is describing his approach to producing an edited (i.e. “creation of a new video”) version of the multimedia file, and how to save it, and later continue editing. However, this has nothing to do with the Applicant's invention. Other than describing the use of Sull's concept to

make an updated multimedia file, it does not suggest the concepts or ideas presented in the present application. As such, it cannot anticipate the present invention.

Clearly Sull's invention describes the use of tags, metatags, metafiles, bookmarks, and the like, to facilitate accessing, viewing, or editing multimedia files. However, his approach does not involve storing the original content of the file in a separate database so that the original content is always searchable and available to the user. Accordingly, the invention as claimed in Claim 1 is clearly distinguished from the approach described by Sull. As such, the rejection of Claim 1, under 35 USC 102, should now be withdrawn.

Regarding Claim 2, it is acknowledged that this claim is directed to known computerized devices. However, since this claim is dependent on allowable Claim 1, it is therefore also allowable.

With respect to Claim 3, it is again noted that the document types listed in the claim are all known to the skilled artisan. However, again, since the claim is dependent on Claim 1, it is therefore also allowable.

As to Claim 5, the Examiner refers to Figures 18 and 19, and also refers to paragraphs 172, 173 and 321. Figures 18 and 19 are addressing a situation wherein a bookmark for video content from a web page is provided from a user's PC to a user's mobile phone or PDA. This is clearly explained in paragraphs 269 to 276. At all times though, Sull discusses merely sending a stored bookmark to a user's PDA etc., and does not imply or suggest that the original file content is stored in a user database. While a video storage device (1812) is shown in Figure 18, there is no reference to this device in the disclosure of Sull, and there is nothing to suggest that anything other than video bookmarks are stored. As such, it does not anticipate the present invention. While the storage of a URL (or bookmark) might be taken from the Sull disclosure, there is nothing to suggest that the document itself is stored in addition to, or together with, the original content in the manner described in the present invention.

In the cited figures, Sull is addressing the issues related to viewing multimedia content on a mobile device (such as a cell phone), and provides access to the user's database of bookmarked positions (and/or tags) on the mobile device. In Figure 18, Sull describes a video DB (1806) attached to a video server (1804), and this is used as the source of the multimedia content. Sull also provides in paragraph 0271, that the

“... multimedia bookmark sent by a user PC 1810, either stand-alone or part of a local area network 1808, is stored in VMSC 1818, which then forwards it to the destination mobile phone 1828 when the mobile phone 1828 is available for receiving messages” (emphasis added).

Sull is silent as to video “1812”, but it is contended that this is nothing more than the database of stored bookmarks, that are to be provided to the user's mobile device, and/or is a separate source of material which might be forwarded to the user's mobile device. Thus, the user is able to access or otherwise use the stored bookmarks in order to access the multimedia content of interest - even when the user is away from the primary PC, and instead is using a mobile device.

However, there is nothing to suggest that video 1812 - which is associated with the user's PC - is used to make a copy of the original multimedia file, as well as saving the URL data, or the like.

As such, the Applicant contends that Claim 5 is allowable over the cited art.

As to Claim 6, the Examiner confuses providing two different storage locations available to the user (as provided by Sull) with the Applicant's use of a separate database storage system which holds the copies of the original documents. Moreover, Sull is not saving a copy of the original information, but is merely saving bookmarks, or the like, to the specific items of interest to the user. Thus, this fundamental difference in approach again differentiates the present invention from Sull.

Again, it should be noted that if original document was removed from the Sull system, accessing the original information would not be possible. In the present invention, it still would be available to the user.

As an example, the user's PC could hold the copies of documents normally available on the Internet, or available at some other location on the user's network. The fact that numerous different storage devices might be found in prior art documents, is not destructive of the novelty of the method taught in the present invention.

The Sull document clearly does not describe saving a copy of the original document on a user defined separate data structure.

As to Claim 7, the Applicant notes that Sull's system also use the information files listed in the claim. However, he does not suggest copying the information files to a separate database which is searchable by the user. As such, the claim is allowable over Sull. Moreover, it is again to be noted that Claim 7 is dependent on allowable Claim 1, and therefore, the claims is also allowable.

Consequently, in view of the comments made hereinabove, the Applicant contends that Sull merely provides a method for storage and handling of multimedia bookmarks, tags, and the like, and provides a method to access the multimedia files and information in a manner that is more useful to the user, in that the user can easily get access to a particular location within the multimedia file. However, Sull does not disclose or teach the aspects of the present invention, namely, storage of a copy of a relevant document in a user defined database, and providing the user with the ability to search the user defined database in order to access the relevant documents (regardless of whether the original source of the relevant document is still available to the user). As such, Sull cannot anticipate the present invention, and therefore the rejection of the claims under 35 USC 102(b) should be withdrawn.

Rejection under 35 USC 103(a)

Claim 9 stands rejected under 35 USC 103(a) as being obvious over Sull in view of US Patent 6151626 (hereinafter "Tims"). The Applicant respectfully traverses this objection.

It is noted that Tims is cited only to show that permission based authorization

system are known in the art. Even if this is the case, it is noted that amended Claim 9 is dependent on allowable Claim 1, and therefore, Claim 9 is also allowable.

As such, the Applicant contends that the rejection of Claim 9, under 35 USC 103(a) should also be withdrawn.

Additional Comments of the Examiner

The Examiner has provided comments regarding the previous submission of the Applicant, and these have been reviewed.

It is first noted that the Examiner indicates that the terms “actual copies” and “to a user defined, separate storage system” have not been specifically included in the claims, and not been included in Claim 1, in particular. In response, Claim 1 has been amended to include these amendments.

Basis for these amendments can be found on, for example, page 4 of the application, wherein it is specified that the original document can be recalled from the stored location. Clearly, this would require an actual copy of the original document to be saved.

Further, saving “to” a storage system is a required part of the method of the present invention, since a copy of the actual document is saved in the user defined separate data structure.

Claim 1 has also been amended to highlight that the copy of the original document is searched. Since Sull does not make an copy of the original document, he clearly cannot search the original documents. Moreover, Claim 1 has been amended to specify that the original copy of the document is searched and displayed. Basis for this amendment can be found in original Claim 1, as filed, or in the specification at page 4, line 23. With this amendment, Claim 1 clearly now requires that the user will search the database of stored, actual copies, and then display the stored, actual copy. This concept is not taught by Sull.

The Examiner also comments that Sull provides for saving of bookmarks which are partial copies that are designed to maintain partial validity even after editing, and refers to Figure 7. However, Sull is only saving the bookmarks. As described

hereinabove, a bookmark has no relevant content and cannot be considered to be a “partial” copy of the original document. Again, the example is given that if the original web page were discontinued, Sull’s storage of the bookmark would be irrelevant since a copy of the original document would not be available to be searched or displayed since a copy of the original document was not saved.

Clearly Sull would not be able to search any content from his collection of bookmarks. These bookmarks would simply be URL addresses, and would not have any relevant search information that the user might wish to search.

The Applicant has noted the Examiner’s comments on the phrase “complete copy” but this is not relevant since it is implicit that an actual copy of the original document requires that a complete copy be saved. It is not enough to merely save a bookmark, or a metafile, or the like, or part of the document. Instead, the claim requires that an actual copy of the original document of interest, must be saved.

The Examiner comments that Sull displays “play”, “forward” and “reverse” buttons and considers these to be equivalent to the search function of the instant claims. However, these “buttons” are provided by Sull so that the user can move through the multimedia file content. They are, in effect, merely ways to move through the original copy of the file. They are not intended to be used to search through a stored copy of the original file. As such, Sull clearly does not provide a search function that searches through the stored copies of the relevant documents.

Furthermore, this type of “search” would not utilize a “search engine” as required in Claim 1.

The Examiner also comments on paragraph 376 that Sull teaches the use of perceptually relevant images (PRI) which are kept with the bookmarks. Again, though, this statement of the Examiner’s is not correct. Instead, this concept is merely an optional feature to allow Sull’s method to display information that the system believes is relevant to the user. In practice, Sull copies the linkages to PRI images that the user indicates are of interest by clicking on those pages. The Sull system then creates a database of the linkages (not the images). As such, this is a method for collecting information from a number of different users in order to determine the content that most users find of

interest. See for example paragraphs 371, 372, 374, and most particularly, paragraph 377. In this section, information about which pages a user “clicks on” or “browses” is collected in order to identify other pages of relevant content. This section of Sull does not describe a separate database of copies of original documents that can be searched by the user, according to the user’s own search parameters.

The Examiner comments that the PRI’s are stored with the bookmarks (paragraph 0376). In fact, what Sull describes is copying the link directed to the PRI (and not the PRI itself) in to a “relevance queue”. The relevance queue is used by the system to gather information on which content the user finds “relevant”. Again, Sull does not describe copying the PRI to a user defined and searchable database, nor imply that the user can search the PRI’s or any other content of the database.

Further, using the Sull approach, does not necessarily mean that the PRI determined by the system, would be in agreement with the user’s preference with respect to relevant documents.

The Examiner has also indicated, with respect to Claim 5, that Sull anticipates the claim because of the alternative language of parent Claim 1, for displaying either the original stored copy, or an updated image. First, this alternative language has now been removed, as discussed hereinabove. Second, the claim still requires searching of the actual copies of the relevant documents.

Claim 1 clearly requires that a copy of the original document be saved. Claim 5 requires that the URL, or file address location, also be saved with the original document. While Sull might save the bookmark position of the file, he does not save a copy of the original document and the file address, URL etc.

It is also noted that the Examiner comments on the prior use of the word “fashion” in Applicant’s previous comments on Claim 5. However, this term is not intended to be include as part of the claim, or provide any limitation on the claim scope. It was merely used to describe the manner in which the information was collected. As such, the Examiner’s comments in respect to the word “fashion” are not relevant to the present discussion.

Summary

The Applicant contends that the rejections under 35 USC 102 have been obviated or rendered moot, by the amendments presented herein, or in view of the comments presented herein. Sull clearly does not provide a system wherein a copy of an original, user-relevant document is stored on a separate, user-defined database which user-defined database is searchable for locating and displaying original copies of the stored documents.

Instead, Sull provides a method to facilitate a user's resumption of viewing of a multimedia file. As part of this approach, Sull collect information in the way of bookmarks, metafiles, URI's and the like. However, at no time does Sull create a database of stored copies of the original documents which are intended to be searched for relevant content, and then displayed from the stored copies.

For the reasons provided hereinabove therefore, Sull clearly does not anticipate the present invention.

As such, the Applicant contends that the rejections of Claims 1 to 3, and 5 to 7, under 35 USC 102 should be withdrawn.

Further, while Tims might show the use of permission based authorization system, the combination of Tims and Sull would not lead the skilled artisan to the present invention. As such, the rejection of Claim 9 under 35 USC 103, should also be withdrawn.

Further, as part of the present response, the Applicant has amended the Claims. However, the Applicant contends that all of the amendments presented herein are fairly based on the application as originally filed, and thus do not introduce any additional subject matter.

Therefore, the Applicant respectfully contends that the present application as amended is in an allowable condition, and respectfully solicits a Notice of Allowance at the earliest opportunity.

Respectfully submitted,
Gowan Intellectual Property



Gowan Intellectual Property

1075 North Service Road West
Suite # 203
Oakville, Ontario
CANADA L6M 2G2
T: 905-827-5000
F. 905-827-5087

***Per:* Gerald A. Gowan**

Registered Patent & Trade-Mark Agent
US Registration No. 37,041/US Client No. 58388
email: ggowan@gowanip.com

GAG:tim
encls.